

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Peter HEVEZI, *et al.*

Application No. 09/847,046

Filed: April 30, 2001

For: **NOVEL METHODS OF DIAGNOSIS
OF PROSTATE CANCER AND/OR
BREAST CANCER,
COMPOSITIONS, AND METHODS
OF SCREENING FOR PROSTATE
CANCER AND/OR BREAST
CANCER MODULATORS**

Art Unit: 1642

Examiner: Davis, Minh Tam B.

Confirmation No. 5223

Atty. Docket: 05882.0126.CPUS02

**Notice of Appeal From the Examiner to the Board
of Patent Appeals and Interferences - Small Entity**

Mail Stop AF
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated **November 17, 2003** that resulted in Applicant having claims that have been twice or finally rejected.

The fee (for a qualified small entity) for filing a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (37 C.F.R. § 1.17(b)), along with any necessary extension fees (37 C.F.R. § 1.17(a)), is included in our Check No. 006779. In the event that extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

05/13/2004 SSITHIB1 00000075 09847046

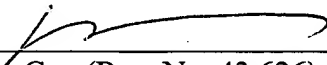
01 FC:2401
02 FC:2253

165.00 OP
429.00 OP

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038 referencing docket number 05882.0126.CPUS02. A duplicate copy of this Notice is attached.

Respectfully submitted,

Date: May 10, 2004



Panpan Gao (Reg. No. 43,626)

HOWREY SIMON ARNOLD & WHITE, LLP

301 Ravenswood Avenue

Box 34

Menlo Park, CA 94025

Ph. (650) 463-8133